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FIFTEENTH YEAR.

PHOENIX, ARIZONA, TUESDAY MORNING, JANUARY 17, 1905.

VOL. XV. NO. 301

THOSE MOBILE GOSSACKS

Kuropatkin Reports Concerning the Raids in the South

The Temporary Reoccupation by the Russians of New Chwang, the Attack Upon Yin Kow, the Destruction of Japanese Stores and the Capture of Prisoners With Few Casualties to the Russians.

St. Petersburg, Jan. 16.—General Kuropatkin in a dispatch to Emperor Nicholas, reporting the Russian cavalry raids of January 10 and 11, says: "The Japanese suffered heavily. The Russian losses during those two days were three officers killed and ten wounded, fifteen soldiers killed and 49 wounded."

The general adds that the cavalry captured a quantity of stores and prisoners and says the Japanese stores at Yin Kow were ablaze for nearly a whole night on January 12. The text of Kuropatkin's report follows: "During the evening of January 10 one and a half companies of Japanese infantry and a half squadron of Japanese dragons were defeated with great losses. On January 11 a Japanese company and two squadrons of cavalry which were occupying New Chwang were driven out by our Cossacks who occupied the place and afterward pursued the

company, defeating it and inflicting a heavy loss. The same night our patrols damaged the railroad line, the telegraph line, a train and two locomotives. During these two days our cavalry defeated several small detachments and captured one officer, fourteen soldiers and 500 carts with stores. Our casualties were three officers killed and fifteen wounded, and fifteen soldiers killed and forty-nine wounded."

"On January 12 our patrols damaged the railway six miles from Yin Kow. At 4 p. m. on Jan. 12, the Russian detachment reached Yin Kow. Our artillery cannonaded the station, set fire to all the stores and later stormed the station. The Japanese opened with rifles and machine guns and our men sought shelter in the ditches and again attacked until they reached the railroad line, when a strong column of Japanese infantry appeared advancing from Taishikiao. Our forces being inferior retired, carrying away nearly all our killed and wounded. The stores at Yin Kow were ablaze a whole night. "It is now cold at night, but warm and bright during the day."

THE DECISION TO SURRENDER.

A Dramatic Incident at the House of General Stoessel.

London, Jan. 16.—The latest news as to the conditions of Port Arthur when it was surrendered to the Japanese occasions much discussion as to General Stoessel's reason for capitulating.

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Criticism, however, is generally lenient, there being a tendency to regard General Negi's tributes to General Stoessel's courageous defense as much in his favor and the inclination is to credit General Stoessel with the knowledge that the morale of his garrison was shattered.

The Daily Telegraph's Kobe correspondent gives a somewhat theatrical account of the final meeting between the generals at Port Arthur prior to the surrender, which account was obtained from the Russian generals at Nagasaki. According to this account twelve generals assembled at General Stoessel's house. Asked the reason for two additional vacant chairs, General Stoessel burst into tears and explained that they formerly belonged to the beloved departed generals, Fock and Kondratyuk, and having paid a tribute to the gallant dead, General Stoessel abruptly exclaimed: "Well, gentlemen, I presume we will fight till the end."

The discussion which ensued showed that the only alternatives were prompt surrender or speedy annihilation. Then champagne glasses were filled and the emperor's health was solemnly honored. Meanwhile the artillery thundered outside, and as several shells burst in the vicinity, General Stoessel ordered the removal of the emperor's photograph, the sole adornment of the walls, remarking: "It is not right that his majesty should witness such proceedings."

The decision to capitulate being unanimously reached, each general signed the record, many sobbing aloud. Finally General Stoessel stood at attention, silently offering prayer, brought his sword to salute, and shouted, "Long live the czar," while the others repeated in chorus and the council ended. It is said that Madame Stoessel seemed stunned and cried aloud when she heard the decision. It is added that acute estrangement exists between General Stoessel and his men owing to the arrangement of favorable terms for the officers but not for the men.

PUNISHMENT OF COWARDICE.

London, Jan. 16.—The correspondent at Port Arthur of the Daily Mail describes an incident of the siege of the fortress when, after a disastrous attempt to capture a Russian position, a Japanese regiment was ordered to renew the attempt. Not a man stirred. The major in command advanced alone, calling to his men to follow. He was soon killed and after a time the regiment, apparently struck with remorse, advanced to the assault which completely failed. The regiment was sent back to the rear, punished with forced drills and compelled to listen to services in memory of the dead major before it was allowed to go to the front again.

CHURCH INTERFERENCE

A Snoot Witness Says There Is Very Little in Utah.

Washington, Jan. 16.—Judge Wm. McCarty, of the supreme court of Utah, as a witness called for the defense in the Smoot case today declared that there was a tacit understanding in Utah that one senator should be Mormon and one gentile. He said the gentiles realized that if the Mormons should unite they could control and keep the gentiles off the ticket and therefore the gentiles were apprehensive until they knew whether they were to get the Mormon support. The judge said it was his opinion that too much importance was attached to the church as a political factor and that as a matter of fact there was little interference.

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A SINGLE STATE

What Mr. Simmons Thinks Arizona Ought to Be

JOINTURE BILL DEBATE

Mr. Heyburn Believes That the Policy of Closing the Door of the Senate Against the West by Doubling up the Territories Is Short Sighted.

Washington, Jan. 16.—By a vote of 30 to 42 the senate today decided to consider the cross town street railway bill for Washington, but the measure soon gave place to the statehood bill. That measure was discussed for three hours by Mr. Simmons of North Carolina and Mr. Heyburn, both of whom favored the elimination of Arizona from the bill.

Mr. Simmons spoke against the statehood bill in its present form. He made a plea against the proposed state of Arizona on the ground of area, saying that the average distance from counties included in the present territory of Arizona to Santa Fe, the proposed new capital was 500 miles. He contended that as shown in the division of the territory of Dakota into two states, the tendency was toward smaller instead of larger states and expressed the opinion that the population of the Mississippi would be three times as great as that east of the river.

He contended that the people of Arizona were in every way capable of making a state for themselves and pointed out the marked difference in races, religion and training of the people in Arizona as compared with those of New Mexico which should, he said, entitle them to separate statehood.

Mr. Heyburn said he would, if necessary, agree to the consolidation of Oklahoma and Indian territory but he expressed a doubt of the wisdom of even that part of the bill, because of his conviction that the population of the Indian territory would become a "political plaything, an element to be traded to do business with." As for the effort to unite the other two territories he could see no reason for it except for a shortsighted desire to shut the door of the senate against the west. Mr. Heyburn had not concluded when at 4:35 p. m. the senate went into executive session and adjourned five minutes later.

The senate in the executive session confirmed the nomination of Vespasian Warner, of Illinois to become commissioner of pensions.

THE HOUSE.

Washington, Jan. 16.—The debate on the Swaine impeachment case in the house today was exhaustive. The senate resolution fixing Wednesday, February 6, as the time for counting the electoral vote for president and vice president was adopted. A resolution was agreed to providing for the collection of additional cotton statistics by the census bureau.

A MILLION SHARES SOLD

Union Pacific Added Gayety to the Stock Market.

New York, Jan. 16.—Transactions on the stock exchange rose above the million share mark again today and with the increased animation there was a considerable showing of strength. A conspicuous movement in Union Pacific exercised a sympathetic influence on the whole market. But during the course of the day when the movement of that stock showed signs of having run itself out, the tone of the rest of the market also gave evidence of hesitation and difficulty in resisting the reaction. After its five point rise of last week and with its advance today through the figure which had been pointed to in current speculative gossip as the objective of the movement, Union Pacific naturally came in for some heavy speculative profit taking.

Accumulation orders over Sunday which had been attracted by the buoyant movement of Friday and Saturday helped carry the stocks up through offerings realized to the high record for the movement of 120 1-2. An additional three point jump in Northern Securities on the curb kept up a parallel be-

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tween two stocks upon which the movement has hinged throughout. The sympathetic response of Southern Pacific and St. Paul was only moderate.

UTAH FRAUDS.

Duplicates of Bounties on Hides of Wild Animals.

Salt Lake, Utah, Jan. 18.—Frauds aggregating \$17,000 are alleged to have been perpetrated against the county governments of Salt Lake and adjoining counties in the past three months, through duplicate payments of bounties on the hides of wild animal pests.

TRAIN LEFT THE TRACK.

Wichita, Kan., Jan. 16.—One man killed, two seriously injured, eleven more or less seriously are the results of a wreck on the Santa Fe train north-bound near Derby this afternoon. The train was running thirty miles an hour when the tender left the track, dragging with it the entire train.

JEROME'S STRONG ARM

How the District Attorney Is Closing Gambling.

New York, Jan. 16.—Following the surrender to District Attorney Jerome today of a gambling outfit belonging to Frank Farrell, Dave Johnson and Frank McDougall, it was declared by counsel for the gamblers that Jerome had closed every gambling house in New York City and that they would remain closed. The instrument which made such effectual action possible was disclosed by Lawyer Daniel O'Reilly, representing the gamblers, to be the Dooling law, enacted at the request of Jerome when he was trying to induce Jesse Lewisohn to testify against Richard Canfield. That law automatically releases from punishment any gambler who gives evidence himself to the district attorney but compels him to give such evidence. Lawyer O'Reilly said: "There will be no gambling house in this city. The Dooling act has given the district attorney a weapon which he has used effectively at every place in the city. That they will not reopen is shown by the surrender of all gambling paraphernalia. They cannot afford to buy every time the district attorney takes a notion to make a raid."

THAT MISSOURI FUND

The Investigating Committee Not Yet Through Searching.

Jefferson City, Mo., Jan. 16.—The senate committee that has been investigating charges that a contribution to the republican fund of \$21,000 accredited to Chairman T. K. Niedringhaus of the republican state committee was contributed by St. Louis brewers to influence legislation, made a partial report to the senate today and asked for further time to pursue its investigation.

The report finds that Niedringhaus did not contribute \$21,000 as credited to him. The report was signed by all committee members, including the republican senators, McInnis and Frisby. The committee reports that no direct evidence has been offered to show that contributions to the republican state campaign fund by Adolphus Busch, the Anheuser-Busch brewing association or Otto Ritel were for the purpose of influencing legislation in Missouri general assembly.

The republican members of the house investigating committee completed the majority report tonight respecting the probing of fund contributions and it will be submitted to the house of representatives tomorrow. It is said that the representative exonerate Niedringhaus. A minority report also will be filed by the democratic members of the committee.

BURTON ASKED TO RESIGN

A Resolution to That Effect Before the Kansas Legislature.

Topeka, Kan., Jan. 16.—A resolution asking Senator Burton to resign was introduced in the Kansas house and senate this afternoon. Cyrus Leland, leader of the deposited republican faction of Kansas and a member of the house, is the author of the resolution. The matter will come up for consideration tomorrow.

An effort will be made to table it on the ground that the case of United States Senator Burton is yet before the courts, and therefore is not a subject for legislative action. The Leland resolution recites that the decision of the United States supreme court today in the Burton case deprives Burton of his usefulness as a representative of the state of Kansas in the United States senate.

DECISION ADVERSE TO BURTON.

Washington, Jan. 16.—The case of Senator J. R. Burton was decided in the United States supreme court today, dismissing the writ of certiorari to the circuit court of appeals for the eighth circuit and reversing the verdict of the district court for the eastern district of Missouri on the ground that the payments made to Burton were made in Washington. The district court therefore reversed the case and remanded it for a new trial.

THE TWENTY-THIRD AT WORK

The Organization of Both Houses Effectuated With Little Delay

The Council Caucus at a Late Hour Succeeded in Breaking the Deadlock Between Hunt and Roemer in Favor of the Former and Satisfactorily to the Constituents of the Latter.

President of the council—George W. P. Hunt of Gila county.
Speaker of the house—W. T. Webb of Graham county.
Chief clerk of the council—R. S. Maclay of Cochise county.
Chief clerk of the house—J. P. Dillon of Yavapai county.
Assistant chief clerk of the house—M. Winsor of Maricopa county.
Chairman of the council—Rev. Lewis Halsey of Phoenix.
Chairman of the house—L. J. Hedgepeth of Phoenix.
Sergeant-at-arms of the council—J. H. Thompson of Gila county.

With this organization the Twenty-third legislature of Arizona began business yesterday. Everything had been determined in caucus, so there was no friction in perfecting the organization of either house. The house began business at noon, but it was after one o'clock before the permanent organization of the council was accomplished. The delay was due to the time consumed by the committee on credentials. That committee finally reported the eleven uncontested seats, and made no reference to the contested seat which represents Pima and Santa Cruz counties. Official notice of the disputed seat was taken immediately after organization, however, by the appointment of a committee on contested seats.

It was not without a great deal of logrolling, lasting from Sunday morning to yesterday forenoon, that all of the wrinkles were ironed out by the democratic brethren and an unbroken line presented at the opening proceedings. The contest between George Hunt and Steve Roemer for the presidency of the council was spirited, and as each of them represented three of the six democratic members, a deadlock seemed inevitable. Roemer finally capitulated, but it was with all the honors of war. He gave a great deal more out of the surrender than General Stoessel got out of the surrender of Port Arthur. He secured one-fourth of all the council patronage for Cochise—the chief clerkship, and six committee clerkships. And it is understood that he and his partisans are not counting on a quorum in the council until the seating of Bernard in the committee chairmanships.

These troubles being settled, the democratic members of the council faced another difficulty. They had heard rumors that the five republican members might refuse to present their credentials, and as the democrats could not count on a quorum in that event until the seating of Bernard in the contest case from Pima-Santa Cruz, it was feared that organization might be delayed indefinitely until the democrats divided the spoils with their opponents. Some of the old chieftains of the democratic side conceded that they were mixed down if the republicans pursued this policy. On as one of them expressed it, shortly before noon, "Of course, they have us over a barrel, and we've got to give them whatever they ask. You bet, if the situation was reversed, they'd hear from us." But it speedily developed that there was no serious intention of the republicans to pursue obstructive tactics. They decided that they would simply make it plain that they had it in their power to make a lot of trouble if they wished, but that they proposed to take a dignified, non-partisan course.

Shortly after noon, Mike Nugent of Yuma ascended the president's dais, and rapped for attention. He humorously announced that the organic act of the territory required that the council be called to order by the best looking member, and he had therefore assumed the duty. He suggested that the first thing in order was to elect a temporary secretary, and R. S. Maclay of Cochise, who was clerk of the Twenty-second council, was elected by acclamation. He next suggested that the next duty was to appoint a committee on credentials, and upon being authorized to appoint such committee he named R. H. Looney of Yavapai, and H. B. Rice of Graham, democrats, and Charles H. Cutting, republican, of Pinal. Pending the deliberations of the committee, a recess was taken.

Meanwhile, Chief Justice Kent, who had already administered the oath of office to the members of the house, entered the chamber and was greeted by the councilmen.

The report of the committee on credentials was short and colorless. It merely announced that it had examined the certificates of the eleven members therein named, and found them entitled to seats in the council. The report was promptly accepted and the committee discharged, whereupon the members assembled in a semi-circle in front of Chief Justice Kent, who had ascended the dais, and were sworn in as he treated the minority. Mr. Nugent announced that the election of the council was in order. Mr. Roemer in a few complimentary words placed Mr. Hunt in nomination, assuring the council that Mr. Hunt would be impartial and treat the minority the same as he treated the majority. Mr. Page of Coconino placed Mr. Cutting in nomination on behalf of the republicans. The first roll-call of the council of the Twenty-third legislature then ensued. When Mr. Cutting's name was called he voted for Hunt, and a moment later Mr. Hunt returned the compliment and voted for Cutting. A strictly party vote being cast otherwise, the result was: Hunt—6, Cutting—5. Mr. Cutting graciously accepted his honors as leader of the minority, and upon the announcement of the vote and the appointment of himself and Mr. Rice to escort President Hunt to the chair, he took Mr. Hunt's arm with great cordiality.

Upon assuming the gavel President Hunt spoke for a couple of minutes, and renewed the promise just made by Mr. Roemer. He pledged himself to treat the minority and each member fairly, and especially thanked the council for the great honor it had conferred upon the county of Gila, in naming for the first time a member from that council for president.

The formal election of Mr. Maclay as chief clerk and J. H. Thompson of Gila county as sergeant-at-arms then quickly followed.

At this point Representative Pickrell from the house appeared and announced that he had been authorized to inform the council that the house had perfected its organization. President Hunt caused a titter by suggesting that the house should send its communication in writing.

P. J. Farley of Yavapai was then elected enrolling clerk. The Rev. Dr. Lewis Halsey of Phoenix was elected chaplain, and Charles Lorraine of Phoenix was made a page. Senator Pedro Pelfon of Pinal county landed the job of watchman, and forthwith proceeded to watch.

The chair appointed Mr. Nugent and Mr. Cutting a committee to inform the house that the council had perfected its organization, and they proceeded to the house. Mr. Rice of Graham and J. E. Perry of Mohave were appointed to notify the governor that the council was ready for business.

The chair appointed a special committee on contested seats, composed of Looney and Rice, democrats, and Page, republican.

The council then took a recess until 2:30, when it was announced, there would be a joint assemblage in the house for the purpose of hearing the governor's message.

THE HOUSE.
The members of the house were called to order by P. F. Collins of Yavapai. A prayer was offered by Rev. Hedgepeth. J. P. Dillon was elected temporary chief clerk. A committee on credentials, composed of J. R. Patterson of Apache and M. A. Stanford of Maricopa, democrats, and LeRoy Anderson, republican, of Yavapai, was appointed. This committee speedily performed its function and reported the house membership, announcing the absence of Barker of Pinal and Wilson of Pima.

Chief Justice Kent then administered the oath of office to the assembled members.

Mr. Collins announced that the election of speaker was in order, and nominations were made. There was considerable oratory, and it was not so bad, either.

W. F. Timmons of Yuma, the disappointed aspirant for the speakership, nominated W. T. Webb of Graham in a felicitous speech. The nomination was seconded by Lamar Cobb of Graham, who also said some nice things of Mr. Webb. LeRoy Anderson, of Yavapai, on behalf of the minority, placed Watson Pickrell of Maricopa in nomination. Webb and Pickrell did the courteous thing in voting for each other, and otherwise the result showed the party vote. Mr. Pickrell showed no more excitement over being made the leader of the

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